REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated July 27, 2007, claims 1-19 are pending in the application. Applicants respectfully request the Examiner for reconsideration of the claims.

Rejection Under 35 U.S.C. § 103

Claims 1, 3, 5-10 and 13-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Adiwoso et al. (U.S. Pat. No. 6,067,453) in view of Wiedeman et al. (U.S. Pat. No. 6,985,454). This rejection is respectfully traversed.

Claim 1 is directed to a communications system 10 that is best shown in Figure 1. The communications system 10 includes a first teleport station 20 that is described in the second full paragraph of page 4. A first user terminal 16 is also included in Claim 1. The user terminal is set forth in the first full paragraph of page 4. As stated, the user terminals may include various consumer and business-type applications.

Claim 1 further includes a satellite 18 coupling the first teleport station 20 to the first user terminal 16. The satellite is first described in the first full paragraph of page 4. A network access point 21 is directly coupled to the Internet. The network access point is also directly coupled to the first teleport station 20 through an optical fiber 23. The coupling of the teleport station and the network access point is described in paragraph 2 of page 4.

The Examiner states that the Adiwoso reference does not explicitly disclose that the network access point 37 is coupled to the first teleport station through an optical fiber. The Examiner cites the Weideman reference for teaching the network access point directly coupled to the first teleport station through an optical fiber. The Examiner points to Figures 6A and 6B,

column 13, lines 14-31. The Examiner states that based on this teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the network access point directly coupled to the first teleport station through an optical fiber as taught by Weideman in the system of Adiwoso et al. While it is true that the passage of column 13 recites that gateways 5 will be connected to external networks or directly to the high-speed international backbone network. These external network connections are described as possibly being optical or fiber optics. It should be kept in mind that the Examiner cites the Weideman reference for teaching a network access point coupled directly to the first teleport station through an optical fiber. Upon reviewing Fig. 6A, an external network connection 12 is illustrated between a router and an IP router. The network appears to be separated from the gateway station at least by an IP router and a gateway router 6. Therefore, even though an optical fiber is illustrated, it is not clear from the teachings of the Weideman reference that a first network access point even exists and if so it is not clear that a network access point is directly coupled to the first teleport station through an optical fiber. It appears that there are at least two intermediate steps therebetween. Therefore, the combination of references fails to teach or suggest a network access point directly coupled to the Internet and directly coupled to the first teleport station through an optical fiber. It appears that the Examiner is selectively picking and choosing between elements in hindsight to form the elements of claim 1. Applicants respectfully request the Examiner to reconsider this rejection. Claim 3 recites further limitations of claim 1 and, therefore, this claim is believed to be allowable for the same reasons set forth above.

Claim 5 is an independent claim directed to a method of communicating between a first user terminal and a first geographic region served by a first satellite and a second user terminal in a second geographic region. Claim 5 recites the steps of directing a communication from a first

user terminal to the first satellite 18, routing the communication from the first satellite 18 to the first teleport station 20 and routing the communication from the first teleport station 20 to a second teleport station 20 in the second geographic region by way of an optical fiber network 38. Claim 5 also recites the step of routing the communication from the second teleport station 20 to a second user terminal in the second geographic region. This is generally set forth in the first full paragraph of page 7.

The Examiner points to Figs. 5 and 6 of the Adiwoso reference for disclosing multiple satellite stations connected via fiber links. Applicants respectfully submit that Figs. 5 and 6 merely illustrate a number of satellites above a portion of the earth that illustrate coverage regions. There is no teaching or suggestion in either the Adiwoso reference or Weideman reference that directs a communication from a first user terminal to a satellite and then routes the communication from the satellite to a first teleport station then to a second teleport station in a second geographical region by way of an optical fiber network. Adiwoso is merely a satellite-type system. The Weideman reference does disclose both a satellite and an optical fiber. However, the optical fiber merely couples the gateway router and IP router. The Examiner again points to column 13, lines 14-21 for teaching a first teleport station and a second teleport station communicating by way of an optical fiber network. Further, the Weideman reference illustrates two different users but does not illustrate, teach or suggest that the users are in a different geographical area served by different satellites. The steps of claim 5 are specific to routing the communication from a first user terminal to the satellite, from the satellite to the first teleport station, from the first teleport station to a second teleport station by way of an optical fiber, and routing the communication from the second teleport station to the second user terminal in the second geographic region. The preamble is also specific to the first user terminal in a first

geographic region served by a first satellite and a second user terminal in a second geographic region. Applicants have amended claim 5 to clarify that the geographic regions are different. Therefore, Applicants respectfully request the Examiner to reconsider the rejection of claim 5. Likewise, claims 6-8 depend from claim 5 and are believed to be allowable for the same reasons set forth above.

Claim 9 is also an independent claim directed to a method of operating a communication system. Claim 9 recites "generating a plurality of spot beams directed to a respective plurality of teleport stations from a satellite, interconnecting the plurality of teleport stations with the optical communication network; in normal operating conditions, directing a communication from a first of said teleport stations through said satellite, when the first teleport station is encumbered, directing the communications through an optical link, and, directing the communication to the satellite from the second teleport station."

Claim 9 includes further limitations to claim 1 with respect to the normal operating conditions encumbering the first teleport station and the like. These specific recitations are not addressed by the Examiner in the Office Action. Applicants believe that, in addition to the reasons set forth above with respect to claim 1, claim 9 is also believed to be allowable. Likewise, claims 10 and 13-19 depend from claims 9 and 1 and are believed to be allowable for the same reasons set forth above.

Claims 2, 11 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Adiwoso et al. (U.S. Pat. No. 6,067,453) in view of Wiedeman et al. (U.S. Pat. No. 6,985,454) and further in view of Wiedeman (U.S. Pat. No. 5,896,558). This rejection is respectfully traversed.

Claim 2 recites that the satellite comprises a satellite in the Ka band. The Weideman '558 reference is cited for this teaching. Applicants respectfully submit that the Weideman '558 reference does not teach the deficiencies of claim 1 and, therefore, claim 2 is believed to be allowable for at least the same reasons of claim 1.

Claim 11 depends from claim 9 and recites that the plurality of beams are non-coextensive. The Examiner points to Fig. 1 of Weideman and Fig. 1 of Adiwoso. Neither the Adiwoso reference nor either of the Weideman references teaches non-coextensive beams. Therefore, Applicants respectfully request the Examiner to reconsider this rejection.

Claim 12 depends from claim 9 and recites that the plurality of beams reuse the same frequency. Again, the Examiner points to Fig. 1 of the Weideman reference. Applicants aren't clear which Weideman reference the Examiner is referring to. However, Fig. 1 of the '558 reference teaches two different Ka beams in a fixed network. However, the '558 patent does not teach or suggest the limitations missing from claim 9 above. Therefore, claim 12 is believed to be allowable for at least the same reasons set forth above with respect to claim 9.

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Adiwoso et al. (U.S. Pat. No. 6,067,453) in view of Wiedeman et al. (U.S. Pat. No. 6,985,454) and further in view of Acampora (U.S. Pat. No. 6,049,593). This rejection is respectfully traversed.

With respect to claim 4, a communication system as recited that includes a satellite, first teleport station, an optical fiber network, and a second teleport station coupled to the first teleport station through the optical fiber network and the satellite. The optical fiber network provides a primary communication link until an irregularity is detected in the optical fiber, where, upon the sensing of the irregularity, the communication is routed from the first teleport station to the second teleport station through the satellite. It should be pointed out that the

primary communication recited in claim 4 is an optical fiber with the satellite back-up. The Examiner points to the Acampora reference for the back-up feature. Claim 4 specifically recites the optical system as the primary while the back-up system is the satellite system.

The Examiner admits that the Adiwoso and the Weideman references do not teach routing the communication from the first teleport station to the second teleport station through the satellite when an irregularity is detected in the optical fiber. Likewise, although the Acampora reference teaches switching from millimeter wave to optical fiber, and vise versa, there is no teaching or suggestion for using this type of communication from the first teleport station and a second teleport station. Also, there is no teaching for employing a satellite to provide such communications. The communications are described as millimeter wave not "microwave" as described by the Examiner at the end of page 7. This clearly suggests that the communications are outside the realm of satellite communication. Therefore, the combination of Adiwoso, Weideman and Acampora do not form the recitations of claim 4. Therefore, Applicants respectfully request the Examiner to reconsider this rejection as well.

CONCLUSION

In light of the remarks above, Applicants submit that all objections and rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,

Dated: 10/17/07 By: _____

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